

Lawrence Katz, Esq.
Law Offices of Lawrence Katz,
70 East Sunrise Highway, Suite 500
Valley Stream, NY 11581
516-374-2118
Attorneys for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

EXPRESS FREIGHT SYSTEMS INC.,

Plaintiff,

- against -

YMB ENTERPRISES INC., JOEL
MENDLOVIC, JOHN DOES 1-10 and
ABC CORPS. 1-10 (said names being
fictitious),

Defendants.

Case: 2:19-cv-12001-SDW-LDW

ATTORNEY AFFIRMATION

Lawrence Katz affirms the following under the laws prohibiting perjury:

1. I am one of the attorneys representing for the Law Offices of
Lawrence Katz representing YMB ENTERPRISES INC. and JOEL MENDLOVIC
in this matter.

2. I state the following based on familiarity of the record of the file in
my office in support of the motion to dismiss the complaint pursuant to FRCP
12(b)(1)-(2) for the absence of jurisdiction, and pursuant to FRCP 12(b)(5) for the
failure to serve; and for such other and further relief in favor of this motion

including alternative relief pursuant to FRCP to 12(b)(3) to transfer this case to the venue where Defendants are domiciled either in the United States District Court for the Eastern District of New York or to the Supreme Court of New York for King (Brooklyn) County.

3. In support of this motion, I submit the following exhibits in support:

Exhibit A: MOTOR CARRIER TRANSPORTATION CONTRACT executed between EXPRESS FREIGHT SYSTEMS INC and YMB ENTERPRISES INC., showing that the parties did not select the State of New Jersey as a venue; and

Exhibit B: the business registration for YMB ENTERPRISES INC. as registered with the Division of Corporations at the Secretary of State for the State of New York with the address for service of process for YMB ENTERPRISES INC. being at 199 Lee Avenue, Brooklyn, NY 11211 and the office of JOEL MENDLOVIC being at 282 Wallabout Street, 1-B, Brooklyn, NY 11201.

4. I incorporate herein the Brief in Support of Defendants' Motion at its fully pleading, and request that the Court so order, the proposed order attached.

Dated: Valley Stream, NY
July 26, 2018

Law Offices of Lawrence Katz

/ s / Lawrence Katz

By: Lawrence Katz

70 East Sunrise Highway, Suite 500
Valley Stream, NY 11581

Attorneys for Defendants